

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)
)
Plaintiff,) **8:04CR206**
vs.)
) **TRIAL ORDER**
JESUS MANUEL GUTIERREZ and)
ADAM SOMMER,)
)
Defendants.)

This matter is before the Court April 18, 2005 on defendant Gutierrez's Motion for Continuance of Trial [274]. Appearings telephonically were Robert Cryne, representing the plaintiff, James Kozel representing defendant Gutierrez, and Jerry Hug representing defendant Sommer. Attorney Hug orally joined the Motion for Continuance of trial. Argument by counsel was heard. The court now finds that the waivers of speedy trial by each of the defendants have been filed and the motion should be granted.

This case is currently pending on the docket of Judge Smith Camp. All substantive pretrial motions have been decided, and time is running under the Speedy Trial Act. Accordingly, trial will be set for the week of June 27, 2005. Counsel will receive more specific information regarding the order of trial from Judge Smith Camp's courtroom deputy, Edward Champion.

IT IS ORDERED:

1. The Motion for Continuance [274] filed by defendant Gutierrez and the oral motion to continue trial by defendant Sommer are granted.
2. The above-entitled case is rescheduled for jury trial before the Honorable Laurie Smith Camp, District Court Judge, to begin **Tuesday, June 28, 2005** at 9:00 a.m. in Courtroom No. 2, Third Floor, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska; because this is a criminal case, defendant must be present in person.

DATED: April 21, 2005.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**